HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

W.P.No.14935 of 1998

Dated 21st day of February, 2007

Between:

T. Ramadasa Sarma ..
Petitioner

And

The Government of Andhra Pradesh
rep. by its Principal Secretary,
Revenue Department, Hyderabad .. Respondent

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O R D E R:

This writ petition is filed to quash the Memo dated 25.4.1998 issued by the respondent.

The brief facts of the case are that the petitioner is the Trustee of Sri Seetharama Swamy Temple, Tetali village by virtue of the order, dated 12.3.1993 passed by the Assistant Commissioner of Endowments, Eluru. Now, the grievance of the petitioner is that when he submitted an application to the respondent to exempt Sri Seetharama Swamy Temple from the operation of Sections 15 and 29 of A.P. Act 30 of 1987, the respondent, while rejecting his application passed the impugned Memo without assigning any reasons except to the effect of having a better management of the institution.

Having heard the learned counsel for both the parties and perused the impugned notice, this Court is of the view that the Memo is as cryptic as anything and it can definitely be said that it is not a speaking order. Maybe it is a fact that the management of the temple be better served if it is with the government, and the authority i.e. the respondent should have stated all those things in a detailed manner and passed a speaking order.

Hence, the Memo dated 25.4.1998 is hereby set aside and the respondent is directed to pass a detailed order after affording an opportunity to the petitioner to explain his grievance.

Accordingly, this writ petition is allowed. No costs.

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21.02.2007

bcj